

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MARGUERITE MARION,)
)
Plaintiff,) Case No. 08 CV 3867
)
v.) Judge Virginia M. Kendall
)
BANK OF AMERICA, NATIONAL) Magistrate Judge Geraldine Soat Brown
ASSOCIATION,)
)
Defendant.)

**JOINT AND AGREED MOTION FOR AN
EXTENSION OF TIME AND TO STAY ALL PENDING MATTERS**

Plaintiff MARGUERITE MARION (“Marion”) and Defendant BANK OF AMERICA CORPORATION¹ (“BOA”), by their attorneys, seek an extension of time of 30 days for Marion to file a motion to remand this case to state court and of 14 days for BOA to file a response to Marion’s motion to remand. In addition, the parties move this Court to stay all pending matters in this action until this Court has ruled on Marion’s motion to remand. In support of this Motion, the parties state as follows:

1. On June 10, 2008, Plaintiff Marguerite Marion served BOA with the complaint in this case, which she had previously filed on May 20, 2008 in Illinois state court.
2. On July 8, 2008, BOA removed this case to this Court based on federal question and diversity jurisdiction.
3. On July 14, 2008, BOA filed its Motion to Dismiss the Complaint.

¹ The Complaint incorrectly names the Defendant as “Bank of America, National Association.”

4. On July 16, 2008, this Court ordered Marion to respond to BOA's Motion to Dismiss the Complaint by August 4, 2008 and for BOA to reply by August 11, 2008. This Court also scheduled a status hearing for September 18, 2008.

5. On July 17, 2008, BOA's counsel, Kathryn Clark, spoke with Marion's counsel, Kristen Prinz, regarding Marion's intention to file a motion to remand this case to state court. Prinz and Clark agreed that it would be beneficial to both parties to stay the briefing on BOA's Motion to Dismiss the Complaint and the status hearing until this Court rules on Marion's motion to remand the case to state court. In addition, Clark and Prinz agreed to allow Marion 30 days to file her motion to remand and BOA 14 days to file a response.

WHEREFORE, the parties respectfully request that this Court stay all pending matters in this case and grant Marion an extension of time until **August 11, 2008** to file her motion to remand and BOA until **August 25, 2008** to respond to Marion's motion to remand.

DATED: July 22, 2008

Respectfully submitted,

BANK OF AMERICA CORPORATION

By: /s/Kathryn S. Clark

One of Its Attorneys

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Respectfully submitted,

MARGUERITE MARION

By: /s/Kristen E. Prinz (with consent)

One of Its Attorneys

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CERTIFICATE OF SERVICE

Kathryn S. Clark, an attorney, certifies that she caused a true and correct copy of the foregoing **Joint And Agreed Motion For An Extension Of Time And To Stay All Pending Matters** to be filed electronically in the United States District Court for the Northern District of Illinois on this 22nd day of July, 2008, and that a true and correct copy of the foregoing was served on the following via the Court's electronic filing system:

Joel J. Bellows
Laurel G. Bellows
Kristen E. Prinz
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/s/Kathryn S. Clark
Kathryn S. Clark